

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

| | | |
|--|---|--------------------|
| ROCHELLE HAYNES, |) | |
| |) | |
| Plaintiff, |) | |
| vs. |) | NO. CIV-07-1201-HE |
| |) | |
| MICHAEL J. ASTRUE, Commissioner |) | |
| of the Social Security Administration, |) | |
| |) | |
| Defendant. |) | |

ORDER

Plaintiff Rochelle Haynes instituted this action seeking judicial review of the defendant Commissioner's final decision denying her application for disability insurance benefits and supplemental security income. Consistent with 28 U.S.C. § 636(b)(1)(B), the case was referred to Magistrate Judge Robert E. Bacharach, who has recommended that the Commissioner's decision be affirmed.

The parties, having failed to object to the Report and Recommendation, waived their right to appellate review of the factual and legal issues it addressed. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059-60 (10th Cir. 1996). See 28 U.S.C. § 636(b)(1)(C); LCvR72.1. Accordingly, the court adopts Magistrate Judge Bacharach's Report and Recommendation. The Commissioner's decision is **affirmed**.

IT IS SO ORDERED.

Dated this 24th day of July, 2008.



JOE HEATON
UNITED STATES DISTRICT JUDGE